

**BY ORDER OF THE SECRETARY
OF THE AIR FORCE**

AIR FORCE POLICY DIRECTIVE 10-18

8 NOVEMBER 2018



Operations

**FOREIGN GOVERNMENTAL
AIRCRAFT USE OF UNITED STATES
AIR FORCE AIRFIELDS**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This directive establishes the framework and policy for the approval and use of United States Air Force airfields by foreign state aircraft and to balance United States Air Force operational needs with the furtherance of United States foreign policy and national security objectives by providing support to those aircraft while on United States Air Force installations. This Directive implements Title 49 United States Code (USC) Section 40103, *Sovereignty and use of airspace*, Title 49 USC Section 44502, *General facilities and personnel authority*, Title 32 Code of Federal Regulations, Part 855.14, *Unauthorized landings*, Title 10 USC Section 9626, *Aircraft supplies and services: Foreign military or other state aircraft*, Title 14 CFR, Part 187.51, *Applicability of overflight fees*, Title 32, Code of Federal Regulations (CFR), Part 700.860, *Customs and immigration inspections and is consistent with* Department of Defense Manual (DoDM) 5200.01-V2, *DoD Information Security Program: Marking of Classified Information*. This Directive applies to all United States Air Force, Air National Guard and United States Air Force Reserve installations. It also applies to all military and civilian United States Air Force personnel, members of the United States Air Force Reserve and Air National Guard, and other individuals or organizations as required by binding agreement or obligation with the Department of the Air Force. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule located in the Air Force Records Information Management System. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using the AF Form 847, *Recommendation for Change of Publication*; route AF Form 847 from the field through the appropriate functional chain of command.

SUMMARY OF CHANGES

This publication has been substantially revised and must be completely reviewed. This revision expands foreign state aircraft policy and increases the scope of the roles and responsibilities to include addressing reciprocity, aviation fees, and application for foreign state aircraft and operators. This publication changes the responsibilities from SAF/IAD to AF/A3.

1. Overview. The Air Force establishes and uses its airfields to support the range and level of operations necessary to carry out Air Force missions worldwide. Air Force policies balance access requests with operational requirements. This publication mandates the proper procedures for foreign state aircraft clearances that have been processed and approved through the Department of State and applies to state aircraft, which are aircraft owned and operated by a military organization or other agency of a foreign government, when such operation is not for commercial purposes.

2. Policy.

2.1. Navigation in the sovereign airspace of the United States by foreign state aircraft is in accordance with 49 USC §40103, *Sovereignty and use of airspace*, and must be authorized by the Secretary of State.

2.2. Foreign state aircraft that land at or fly above the continental United States, its territories, commonwealths and possessions, are required to obtain aircraft diplomatic clearance using the Department of State's Diplomatic Clearance Application System. Clearances are requested through the appropriate foreign governmental authority (e.g., an office in the foreign governmental embassy or foreign mission to the U.S.), in accordance with the processes indicated in the Department of State Diplomatic Aircraft Clearance Procedures, or as otherwise directed by higher authority.

2.3. Consistent with the *Federal Aviation Administration Aeronautical Information Manual: Official Guide to Basic Flight Information and ATC Procedures* foreign state aircraft operating to or from, within, or in transit of United States territorial airspace will receive authorization from the Department of State by means of a diplomatic clearance.

2.4. Foreign state aircraft use of Air Force airfields in the United States will be subject to federal laws and regulations. Foreign state aircraft use of Air Force airfields in foreign countries will be subject to federal laws and regulations that have extra-territorial effect and to applicable international bilateral and multilateral agreements with the country in which the Air Force installation is located.

2.5. In accordance with 14 CFR Part 187.51, *Applicability of overflight fees*, foreign state aircraft (those which are diplomatically cleared by Department of State) are not subject to air navigation, overflight, or similar fees for transit through the national airspace of the United States or through Flight Information Regions in international airspace. Foreign state aircraft are not subject to landing and parking fees (or other available routine use fees) at United States Air Force Active, Guard or Reserve airfields.

2.6. Consistent with DoDD 4500.54E, *DoD Foreign Clearance Program* (FCP), 32 CFR Part 700.860, *Customs and immigration inspections*, and United States Government reciprocity policy, foreign state aircraft (those which are diplomatically cleared by the Department of State) are not subject to search, seizure, and inspection (including customs and safety inspections) or any other exercise of jurisdiction by the United States Government over such foreign state aircraft, or the personnel, equipment, or cargo on board.

3. Roles and Responsibilities.

3.1. Deputy Chief of Staff, Operations (AF/A3) shall:

3.1.1. Serve as the United States Air Force principal foreign state aircraft clearance program office.

3.1.2. Establish United States Air Force policy and provide policy guidance and oversight for foreign state aircraft clearance.

3.1.3. Establish centralized processes to handle functional and programmatic issues related to foreign state aircraft clearances within the United States Air Force and with other United States Government components, as appropriate.

3.1.4. Ensure all foreign state aircraft clearance responsibilities and functions are executed in accordance with United States and international law, policies, and other Department of Defense issuances.

3.1.5. Ensure implementation of United States Air Force foreign state aircraft clearance policy by all Air Force Active, Guard or Reserve units.

3.1.6. Develop and publish administrative procedures for obtaining United States Air Force Aircraft Landing Authorization Numbers for foreign state aircraft diplomatic clearances.

3.1.7. With the exception of in-flight emergencies, ensure operation of foreign state aircraft at Air Force airfields is limited to flights in support of official government business.

3.1.8. Ensure Air Force requirements take precedence over foreign state aircraft operations, whether or not previously authorized.

3.1.9. Make decisions on all requests for exceptions or waivers to this policy directive and its implementing instruction. The decision process includes consultation with other federal agencies and affected functional area managers if appropriate. Potential impacts on current and future Air Force policy and operations strongly influence such decisions.

3.2. Major Commands, Field Operating Agencies, Direct Reporting Units, and Air Reserve Components may issue supplements to establish command-unique procedures permitted by and consistent with this directive and its implementing instructions.

4. See Attachment 2 for measures of compliance with this directive.

HEATHER WILSON
Secretary of the Air Force

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

AFMAN 33-363, *Management of Records*, 1 March 2008 Incorporating Change 2, 9 June 2016.

Title 49, United States Code (USC) §40103, *Sovereignty and use of airspace*, 1 October 2011.

Title 49, United States Code (USC) §44502, *General facilities and personnel authority*, 1 October 2011.

Title 10, United States Code (USC) §9626, *Aircraft supplies and services: Foreign military or other state aircraft*, 1 October 2011.

Title 14 Code of Federal Regulations, Part 187.51, *Applicability of overflight fees*, 1 October 2011.

Title 32 Code of Federal Regulations, Part 700.860, *Customs and immigration inspections*, 1 October 2011.

DoDM 5200.01-V2, *DoD Information Security Program: Marking of Classified Information*, 24 February 2012, Incorporating Change 2, 19 March 2013.

DoDD 4500.54E, *DoD Foreign Clearance Program (FCP)*, 28 December 2009.

Federal Aviation Administration Aeronautical Information Manual, Paragraph 5-6-8, *Foreign State Aircraft Operations*, Basic Date 10 December 2015, Change 3 27 April 2017.

Federal Aviation Administration Aeronautical Information Manual, Official Guide to Basic Flight Information and ATC Procedures, 12 October 2017

Adopted Forms

AF Form 847, *Recommendation for Change of Publication*

Abbreviations and Acronyms

AF—Air Force

AFI—Air Force Instruction

AFMAN—Air Force Manual

AFPD—Air Force Policy Directive

AFRIMS—Air Force Records Information Management System

ATC—Air Traffic Control

CFR—Code of Federal Regulations

DoD—Department of Defense

DoDD—Department of Defense Directive

DoDM—Department of Defense Manual

FCP—Foreign Clearance Program

HQ—Headquarters

OPR—Office of Primary Responsibility

RDS—Records Disposition Schedule

USC—United States Code

Terms

Foreign State Aircraft—For the purposes of this document, this phrase includes foreign military aircraft, government owned and operated aircraft, and aircraft which both parties (foreign government and U.S. Government) agree is operating as a state aircraft. This is often accomplished by the country flying the aircraft asking for and receiving a diplomatic clearance for the flight or flights. Note: For the purposes of this document, the term “Foreign Government Aircraft” is used interchangeable with foreign state aircraft.

Attachment 2

MEASURES OF COMPLIANCE

A2.1. The Air Force assesses compliance with this policy directive by tracking landing permits and unauthorized landings. AF/A3OJ tracks the number of aircraft landing authorization numbers issued annually and the number of unauthorized landings at US Air Force airfields reported during the same period. This information is compiled and displayed on a chart that shows trends in progress (**Figure A2.1**) toward the goal of reducing the number of unauthorized landings.

Figure A2.1. Sample Metric of AF/A3OJ Approved Aircraft Landing Authorizations and Landings Without Authorization.

